

REMARKS

Claims 1, 3-11, 13 and 14 are pending in this application. By this Amendment, claim 1 is amended, claims 13 and 14 are added and claim 2 is canceled without prejudice to or disclaimer of the subject matter recited therein. Support for the amendment to claim 1 can be found at, for example, canceled claim 2 and paragraph [0010]. Support for new claim 13 can be found at, for example, paragraph [0036]. Support for new claim 14 can be found at, for example, paragraph [0040]. No new matter is added. Reconsideration and prompt allowance of the application based on the above amendments and following remarks is respectfully requested.

I. Objection to the Drawings

The Office Action objects to the drawings as failing to show every feature of the invention specified in the claims. Specifically, the Examiner asserts that "a plurality of projecting ridges formed integrally on a surface of the sealing lip body so as to extend in a lengthwise direction," as recited in claim 1, must be shown or the features canceled from the claims.

Applicants have amended Fig. 4 to illustrate the lengthwise direction in view of this objection and additionally, amended paragraph [0032]. Accordingly, Applicants respectfully request withdrawal of the objection.

II. Rejection Over AAPA and Nagasawa

The Office Action rejects claims 1-11 under 35 U.S.C. §103(a) as being obvious over Applicants' Alleged Prior Art Fig. 7 (sample no. 3) (hereinafter "AAPA") in view of JP No. 10-026231 to Nagasawa. The rejection is respectfully traversed.

At least, AAPA fails to teach or render obvious "the longer side of the projecting ridges are set so as to have an angle of inclination ranging from 40° to 80° relative to a normal line on the surface of the sealing lip body and the shorter side of the projecting ridges

are set so as to have an angle of inclination ranging from 5° to 40° relative to the normal line," as recited in claim 1. The Examiner acknowledges that AAPA fails to teach a plurality of projecting ridges to be scalene triangle in shape. However, the Examiner asserts that Nagasawa cures the deficiencies of AAPA.

However, Nagasawa fails to teach or render obvious "the longer side of the projecting ridges are set so as to have an angle of inclination ranging from 40° to 80° relative to a normal line on the surface of the sealing lip body and the shorter side of the projecting ridges are set so as to have an angle of inclination ranging from 5° to 40° relative to the normal line," as recited in claim 1. Specifically, the Examiner asserts that Nagasawa discloses a weather-strip having a plurality of projecting ridges (first projection 50 and second projection 60) to be scalene triangle in shape (Figs. 2 and 3). However, the first projection (50) and second projection (60) of Nagasawa are not equivalent to the recited plurality of projecting ridges because the first projection (50) and second projection (60) do not have a longer side set to have an angle of inclination ranging from 40° to 80° relative to a normal line on the surface of the sealing lip body. Additionally, the first projection (50) and second projection (60) of Nagasawa are not equivalent to the recited plurality of projecting ridges because the first projection (50) and second projection (60) do not have a shorter side set to have an angle of inclination ranging from 5° to 40° relative to the normal line. Instead, Nagasawa merely teaches that the first projection (50) is set so as to have an angle of inclination wherein the angle of inclination (Θ_1) of the dropping side (51) is greater than the angle of inclination (Θ_2) of the first tooth back (52) relative to a surface of the first projection (50) and that the angle of inclination (Θ_1) of the dropping side (51) can be set up in the range of $0 < \Theta_1 \leq 90^{\circ}$ (paragraphs [0024] and [0029]). Additionally, Nagasawa merely teaches that the second projection (60) is set so as to have an angle of inclination wherein the angle on inclination (Θ_3) of the dropping

side (61) is greater than the angle of inclination (Θ_4) of the second tooth back side (62) relative to a surface of the second projection (60) and that the angle of inclination (Θ_3) of the dropping side (61) can be set up in the range of $0 < \Theta_3 \leq 90^\circ$ (paragraphs [0030] and [0035]). The angle of inclination disclosed by Nagasawa is the angle with respect to the projections (50 or 60), instead of the angle of inclination relative to a normal line on the surface of the sealing lip body (as illustrated at Fig. 4 of the current specification). Thus, Nagasawa fails to teach or render obvious angle of inclination of the longer side or the shorter side of the projecting ridges, as recited in claim 1.

Additionally, even if it is assumed that the angle disclosed in Nagasawa is relative to a normal line on the surface of the sealing lip body, Nagasawa still fails to teach or render obvious that the recited range of the angle of inclination of the tooth back side (52, 62) (assumed to be the equivalent of the longer side) is 40° to 80° or that the recited range of the angle of inclination of the dropping side (51, 61) (assumed to be equivalent to the recited shorter side) is 5° to 40° . Instead, Nagasawa merely discloses that the angle of inclination of the dropping side (51, 61) can be within a broad range of $0 < \Theta_{1 \text{ or } 3} \leq 90^\circ$. Thus, Nagasawa does not teach the angle of inclination of the tooth back side (52, 62).

Also, the range of the dropping side (51, 61) taught by Nagasawa is very broad in comparison to the recited narrower range. As discussed at the specification at paragraphs [0010] and [0034], the recitation of ranges, as recited in claim 1, are based on the new and unexpected results resulting from the restriction of the angles to those specified angle of inclination ranges. Thus, Applicants respectfully submit that the claim 1 is non-obvious in view of AAPA and Nagasawa due to unexpected/new results. Specifically, the MPEP §2144.05(III) states:

Applicant can rebut a presumption of obviousness based on a claimed invention that falls within a prior art range by showing “(1) [t]hat the prior art taught away from the claimed invention...or (2) that there are new and unexpected results relative to the prior art.” *Iron Grip Barbell Co., Inc. v. USA Sports, Inc.*, 392 F.3d 1317, 1322, 73 USPQ2d 1225, 1228 (Fed. Cir. 2004).
(emphasis added)

According to paragraphs [0010] and [0034] of the current specification, the restriction of the angles of inclination to the range recited in claim 1 is based on the unexpected result of reducing the frictional force during movement of the window pane. Based on this disclosure, Applicants respectfully submit that the recitation of the angle of inclination ranges are non-obvious in view of AAPA and Nagasawa based on the unexpected results disclosed at paragraphs [0010] and [0034] of the specification. Thus, Nagasawa fails to teach or render obvious "the longer side of the projecting ridges are set so as to have an angle of inclination ranging from 40° to 80° relative to a normal line on the surface of the sealing lip body and the shorter side of the projecting ridges are set so as to have an angle of inclination ranging from 5° to 40° relative to the normal line," as recited in claim 1.

Nagasawa also fails to teach or render obvious "the shorter side of the projecting ridges are set so as to have an angle of inclination ranging from 15° to 40° relative to the normal line on the surface of the sealing lip body," as recited in dependent 3. Specifically, as discussed above, Nagasawa fails to disclose that the shorter side of the projections (50, 60) have an angle of inclination ranging from 5° to 40° relative to the normal line, let alone from 15° to 40° relative to the normal line on the surface of the sealing lip body. Thus, Nagasawa also fails to teach or render obvious "the shorter side of the projecting ridges are set so as to

have an angle of inclination ranging from 15° to 40° relative to the normal line on the surface of the sealing lip body," as recited in dependent 3.

Applicants do not concede that AAPA or Nagasawa, alone or in combination, teach or render obvious the features recited in dependent claims 4-11. However, it is unnecessary to separately discuss the features recited in the dependent claims given the existence of clear and distinguishing features in independent claim 1.

Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Applied References Fail to Disclose Other Recited Features

Applicants continue to assert that the applied references fail to disclose all other features recited in the claims, and their combination. For a more complete discussion, see, for example, Applicants' March 3, 2010, Pre-Appeal Brief Request for Review, and remarks found in Applicants' August 28, 2009, Amendment.

IV. New Claims

With respect to new claims 13 and 14, Applicants do not concede that AAPA or Nagasawa, alone or in combination, teach or render obvious the features recited in dependent claims 13 and 14. However, it is unnecessary to separately discuss the features recited in the dependent claims given the existence of clear and distinguishing features in independent claim 1.

Accordingly, Applicants respectfully submit that claims 13 and 14 are patentable at least in view of the patentability of claim 1, as well as for the additional features recited therein.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Michelle K. Windom
Registration No. 65,466

JAO:MQW/tbm

Attachments:

Request for Continued Examination
Drawing Sheet

Date: May 12, 2010

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**

Please grant any extension
necessary for entry of this filing;
Charge any fee due to our
Deposit Account No. 15-0461